THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 17949 OF 2006

DATED: 30.8.2006

Between:

Gani Venkatreddy

… Petitioner

AND

The Special Deputy Collector (L.A.)
Pulichintala Project, Unit-IV,
Opp: Government Hospital, Kodad Town
& Mandal, Nalgonda District & another.

..Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No.17949 OF 2006

ORAL ORDER:

Writ petition is misconceived and fundamentally so.

According to the petitioner, he is the owner and in possession of lands to an extent of Acs.2-15 guntas in Sy.No.133 of Vellaturu Revenue Village, Warangal District. These lands were acquired for the purpose of Pulichintala Project and when the 1st respondent was about to determine the compensation in a negotiation committee, the 2nd respondent is stated to have got issued two legal notices alleging that he and another person had entered into an agreement of sale with the petitioner and calling upon the 1st respondent not to consider the petitioner's claim. The petitioner states to have got issued a reply notice denying the above claim.

On 16.05.2006, the 1st respondent called upon the petitioner to appear before him on 05.06.2006 to be heard on the objections in representations of the 2nd respondent, objecting to the payment of compensation to the petitioner. Petitioner claims to have appeared on 05.06.2006, on which date the proceedings are stated to have been adjourned and he was informed that enquiry was rescheduled to be held on 10.07.2006. Petitioner also asserts to have filed a counter-

affidavit through his counsel denying the allegations of the 2nd respondent and furnishing documents in support of his claim to title to the property acquired and seeking compensation for the acquisition from the 1st respondent. Petitioner further asserts that the 1st respondent has reserved orders on the rival claims and has not yet determined them.

According to the petitioner, the 2nd respondent was proclaiming in the village that he is going to receive compensation even before orders are passed by the 1st respondent in the award enquiry. Therefore, the petitioner is before this Court apprehending that the 1st respondent would pay the compensation amount to the 2nd respondent even without passing an award and even prior to determining the rival claims for compensation for the property acquired. This is the substratum of the apprehension, which has led to the institution of the writ petition.

Apparently and as per the pleadings, the petition is filed on the basis of a village gossip. No action has been taken and no order passed by the 1st respondent nor any compensation paid to the 2nd respondent, warranting judicial review.

The writ petition is accordingly dismissed at the stage of admission. No order as to costs.

Petitioner is at liberty to pursue appropriate remedies in case he is denied compensation for his lands on establishing his claim for compensation, before an appropriate forum.

GODA RAGHURAM, J

Date: 30.08.2006
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